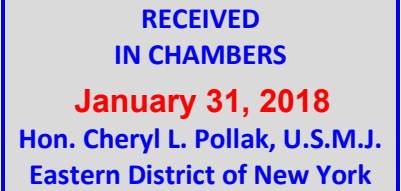


The Law Office of Ryan Lozar, P.C.
305 Broadway, 10th Floor, New York, NY 10007
Tel: (310) 867-1562; Alternate Tel: (646) 666-8262; Fax 1-877-666-4456
ryanlozar@gmail.com



JANUARY 25, 2018



Re: Cook v. City of N.Y., No. 15 Civ. 6559 (ILG) (CLP)

Dear Judge Pollak:

I am Plaintiffs' Counsel in the above-captioned Section 1983 action alleging that NYPD Defendants and ACS Defendants violated Plaintiffs' constitutional rights. Docket No. 35.

I write to submit an updated request for a so-ordered subpoena. I filed the original request on November 22, 2017. Docket No. 58. The only change in this updated request is the return date, as the original return date on the pending November 22, 2017, request has passed. I conferred with Defendants regarding this updated submission, and they consent.

On November 15, 2017, the Court held an in-person discovery conference with the Parties. Docket No. 55. During that conference, I requested a so-ordered subpoena for Family Court transcripts relating to the case. Id. The Court granted the request and directed me to submit the requested so-ordered subpoena for consideration and execution. On November 22, 2017, I submitted the relevant papers on ECF and I forwarded hard copies in the U.S. post. Docket No. 58. (On November 21, 2017, I incorrectly filed the relevant papers on ECF such that the November 22, 2017, submission was made to correct that.)

In addition to filing these updated papers on ECF, I will hand deliver a duplicate set to Your Honor's Chambers.¹

Thank you in advance. Should the Court request additional information, I will provide it.

Thank you,

A handwritten signature in black ink, appearing to read 'Ryan Lozar'.
Ryan Lozar
Attorney for Plaintiffs

¹ In accordance with Federal Rule of Civil Procedure 5.2, full social security numbers, full dates of birth, and minor names (save for initials) are redacted on ECF. Fed. R. Civ. P. 5.2(a). The hard set of papers delivered to Court will be unredacted in these aspects.

AO 88B (Rev. 02/14) Subpoena to Produce Documents, Information, or Objects or to Permit Inspection of Premises in a Civil Action

UNITED STATES DISTRICT COURT

for the

Eastern District of New York



Darlene Cook, et al.,

Plaintiff

City of New York, et al.,

Defendant

Civil Action No. 15-6559

SUBPOENA TO PRODUCE DOCUMENTS, INFORMATION, OR OBJECTS
OR TO PERMIT INSPECTION OF PREMISES IN A CIVIL ACTION

To:

Clerk of New York State Family Court, County of Queens
151-20 Jamaica Avenue, 5th Floor, Jamaica, NY 11432

(Name of person to whom this subpoena is directed)

☒ **Production:** YOU ARE COMMANDED to produce at the time, date, and place set forth below the following documents, electronically stored information, or objects, and to permit inspection, copying, testing, or sampling of the material. Certified Family Court filings and records, including transcripts of court appearances, for Docket Numbers NN-17534/2013 and NN-04515/2014. These docket numbers correspond to Respondent Shaqueena Cook and her children C.C. and M.C. Full names and DOBs for these individuals appear in the attached rider.

Place: Law Office of Ryan Lozar
305 Broadway, Room 1001
New York, NY 10007

Date and Time:

FRIDAY, FEBRUARY 16, 2018 12pm

☐ **Inspection of Premises:** YOU ARE COMMANDED to permit entry onto the designated premises, land, or other property possessed or controlled by you at the time, date, and location set forth below, so that the requesting party may inspect, measure, survey, photograph, test, or sample the property or any designated object or operation on it.

Place:

Date and Time:

The following provisions of Fed. R. Civ. P. 45 are attached – Rule 45(c), relating to the place of compliance; Rule 45(d), relating to your protection as a person subject to a subpoena; and Rule 45(e) and (g), relating to your duty to respond to this subpoena and the potential consequences of not doing so.

Date: 1/31/2018

CLERK OF COURT

OR

Signature of Clerk or Deputy Clerk

Attorney's signature

The name, address, e-mail address, and telephone number of the attorney representing (name of party) Shaqueena Cook and Darlene Cook, who issues or requests this subpoena, are:
Ryan Lozar; Law Office of Ryan Lozar; 305 Broadway, Suite 1001; New York, NY 10007; (310) 867-1562;
ryanlozar@gmail.com

Notice to the person who issues or requests this subpoena

If this subpoena commands the production of documents, electronically stored information, or tangible things or the inspection of premises before trial, a notice and a copy of the subpoena must be served on each party in this case before it is served on the person to whom it is directed. Fed. R. Civ. P. 45(a)(4).

Civil Action No. 15-6559 (ILG) (CLP), Darlene Cook, et al., v. City of NY, et al.

SUMMONS RIDER

This rider to the attached Rule 45 subpoena, issued pursuant to the Federal Rules of Civil Procedure ("FRCP"), provides supplemental information relevant to the identification of responsive records.

1. The subpoena directs the production of records relating to Queens Family Court Docket No. NN-17534/2013 and Docket No. NN-045515/2014. Shaqueena Cook (DOB 6/25/1989) (SSN 113-70-9158) is a respondent in the above-referenced cases, and the minors who are the subjects of those cases are Cherish Cook (DOB 8/21/2012) and Makai Cook (DOB 3/8/2014).
2. Responsive records include, but are not limited to: petitions, filings and transcripts of court proceedings. Again, the relevant cases are Queens Family Court Docket Nos. NN-17534/2013 and NN-045515/2014 as described in ¶ 1.
3. Initially, the subpoena directs the production of court-proceeding transcripts in Docket Nos. NN-17534/2013 and NN-045515/2014 for the period beginning March 1, 2014, and running through and including May 31, 2014. Production of these transcripts may satisfy this subpoena in full.
4. Records and transcripts responsive to this subpoena need not be redacted prior to production as directed herein. The Court issuing this subpoena has entered a Confidentiality Order requiring the Parties to handle sensitive discovery according to the Order's terms and conditions. The Parties accordingly know to treat any records and transcripts produced in response to this subpoena pursuant to the terms and conditions of that Order.

In lieu of personal appearance by the records custodian and/or personal service of a production of responsive records, this subpoena may be satisfied by producing certified copies of the responsive records on or before Friday, February 16, 2018, to the Law Office of Ryan Lozar, c/o Ryan Lozar, Esq., 305 Broadway, Suite 1001, New York, NY 10007. Electronic service is also accepted at ryanlozar@gmail.com. Any and all questions regarding the same may be directed to Ryan Lozar, Esq., of that office at (310) 867-1562 or ryanlozar@gmail.com.

Should the recipient of this subpoena reasonably need additional time to comply, the recipient may direct inquiries to Mr. Lozar, the attorney whose contact information is listed herein.